

UNITED STATES DISTRICT COURT

for the

District of New Jersey

United States of America

v.

ELADIO WILFREDO CRUZ

Date of Previous Judgment: 06/24/02

(Use Date of Last Amended Judgment if Applicable)

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Case No: CR. 01-292-01

USM No: 23970-050

AFPD ESTHER SALAS *

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ **DENIED.** ☐ **GRANTED** and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months **is reduced to** _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: _____

Amended Offense Level: _____

Criminal History Category: _____

Criminal History Category: _____

Previous Guideline Range: _____ to _____ months

Amended Guideline Range: _____ to _____ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☒ Other (explain): Defendant is ineligible as a career offender

III. ADDITIONAL COMMENTS

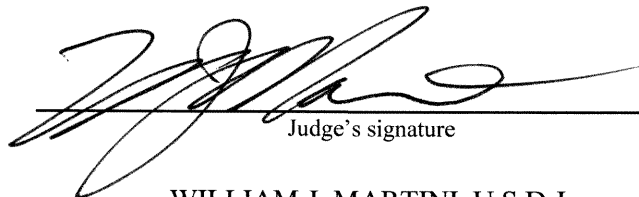
Except as provided above, all provisions of the judgment dated 06/24/02 shall remain in effect.

IT IS SO ORDERED.

Order Date: 04/25/12

Effective Date: _____

(if different from order date)



Judge's signature

WILLIAM J. MARTINI, U.S.D.J.

Printed name and title

* ESTHER SALAS IS NOW A U.S. DISTRICT JUDGE IN THE DISTRICT OF NEW JERSEY